

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JOHN CARR,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 05-10445-RBC
SIEMENS DEMATIC CORP., et al.,)	
)	
Defendants.)	
)	
)	
)	

ASSENTED-TO MOTION TO EXTEND THE FACT DISCOVERY PERIOD TO
MARCH 31, 2007

Siemens Dematic Corp. ("Siemens") hereby respectfully submits this Assented-To Motion to Extend the Fact Discovery Period to March 31, 2007. In support of this motion, Siemens states as follows:

(1) On December 15, 2006, Plaintiff moved the Court for an extension of time within which to complete fact discovery.

(2) On December 21, 2006, the Court ordered an extension of the fact discovery period to February 28, 2007.

(3) Thereafter, the parties scheduled the deposition of Mr. Gary Clinkscales, a Siemens employee, for February 16, 2007, to take place in Dallas, Texas.

(4) Due to an unforeseeable work emergency that arose on February 14, 2007, Mr. Clinkscales was required to travel immediately to Philadelphia, Pennsylvania and remain there for two weeks, and the Parties agreed to cancel the proposed deposition date.

(5) Counsel has preexisting personal and professional commitments up to and including February 28, 2007. The parties have rescheduled the deposition of Mr. Clinkscales for March 8, 2007.

CONCLUSION

For the foregoing reasons, Siemens respectfully requests that the Court extend the fact discovery period up to and including March 31, 2007 so that Plaintiff may depose Mr. Clinkscales.

Respectfully Submitted,

Defendant
SIEMENS DEMATIC CORP.

By its attorneys,

/s/ Gabriel D. O'Malley
Matthew M. Burke (BBO # 557281)
Gabriel D. O'Malley (BBO # 651432)
ROPES & GRAY LLP
One International Place
Boston, Massachusetts 02110
(617) 951-7000

Dated: February 20, 2007